



## *Report to the Auburn City Council*

Action Item  
Agenda Item No. **8**

*[Signature]*  
City Manager's Approval

**To:** Mayor and City Council Members  
**From:** Reg Murray, Senior Planner *[Signature]*  
**Date:** October 28, 2013  
**Subject:** Rezone – Regional Commercial–Emergency Shelter Zone District (Auburn Ravine Road Project Area) – File # RE 13-3

### *The Issue*

Should the Auburn City Council adopt the Initial Study and Negative Declaration prepared for this project in accordance with the California Environmental Quality Act (CEQA), and approve a Rezone proposal that would rezone nine lots, generally located west of Auburn Ravine Road and north of Elm Avenue, from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES)?

### *Recommended Motion (Denial of Rezone)*

On Tuesday, September 17, 2013, the Auburn Planning Commission recommended, by a vote of 5-0, that the Auburn City Council take the following action:

- A. By Motion, deny the Rezone proposal to rezone nine lots, generally located west of Auburn Ravine Road and north of Elm Avenue, from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES).

### *Alternative Motion (Approval)*

If the City Council supports the rezone proposal for the Auburn Ravine Road project area, staff recommends the following actions:

- B. By Motion, adopt the Initial Study and Negative Declaration prepared in accordance with the California Environmental Quality Act (CEQA) for the Auburn Ravine Road project area rezone (Exhibit A); and
- C. By Motion, introduce and hold a First Reading, by title only, of the attached Ordinance (Exhibit B) which approves the Rezone proposal to rezone nine lots, generally located west of Auburn Ravine Road and north of Elm Avenue, from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES).

**Background**

On August 12, 2013, the Auburn City Council met and considered various location alternatives to satisfy the requirements of Senate Bill 2 (SB 2) with respect to identifying a zone district which would allow emergency shelters “by right” (i.e. without requiring any additional permitting). After deliberation, the Council identified several lots along Auburn Ravine Road, north of Elm Avenue, as potentially appropriate lots for emergency shelters (Attachment 1); and, directed staff to prepare the necessary entitlement to rezone the area from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES).

The Auburn Planning Commission reviewed the proposed Rezone of the Auburn Ravine Road property on Tuesday, September 17, 2013. The Commission also considered an associated code amendment to establish the Regional Commercial – Emergency Shelter (C-3-ES) zone district. The Planning Commission recommended that the City Council deny both the Rezone proposal for the Auburn Ravine Road project area as well as the code amendment establishing the C-3-ES zone district.

On Monday, October 14, 2013, the Auburn City Council considered both the Rezone proposal for the Auburn Ravine Road project area as well as the code amendment establishing the Regional Commercial – Emergency Shelter (C-3-ES) zone district. After public input and Council deliberation, the Rezone and code amendment were both continued to Monday, October 28<sup>th</sup> for additional consideration.

**Regional Commercial - Emergency Shelter Rezone**

The current proposal rezones the Auburn Ravine Road project area from Regional Commercial (C-3) to the new Regional Commercial – Emergency Shelter (C-3-ES) zone district. The project area is illustrated with Attachment 1; Attachment 2 provides an aerial view of the area; and, Attachment 3 shows the existing zoning for the project area and surroundings.

The new C-3-ES zone includes all permitted and conditionally permitted uses allowed in the C-3 zone and adds emergency shelters (i.e. homeless shelters) as a use permitted by right, subject to development standards. The existing C-3 zone district allows a wide variety of permitted and conditionally permitted uses, including retail, office, and services. Comparable uses allowed in the C-3 zone include apartments and rental housing, hotels/motels, and large residential care facilities (with use permit).

All emergency shelters permitted in the C-3-ES zone district will be subject to the development standards that will be established with the associated code amendment establishing the C-3-ES zone. Key features of the development standards include:

- a. Occupancy – Maximum occupancy in a permanent shelter will be twenty-five (25) individuals.
- b. Parking - Shelters must provide parking for each staff member and every four occupants.
- c. Management – Standards are included for shelter management, including a minimum of two staff members at all times; security personnel; and, coordination with the Police Department regarding the names of persons residing at the shelter.

- d. Facilities – Shelters will be required to provide certain minimum facilities including common areas for use by the occupants; secure storage facilities; laundry facilities; and at least two showers.
- e. Operations Plan – Shelters will prepare and maintain an operations plan which address issues such as security, safety, noise control, admission and discharge procedures, training, communication, and the prohibition of smoking, drinking, and non-prescription drug use.

The development standards summarized above, and detailed with the new code amendments, are consistent with the California Government Code provisions required by SB 2 and are intended to insure the safe, effective, and efficient operation of each emergency shelter and compatibility with the designated sites.

### **Public Comment and Correspondence**

The City received several emails and letters in regards to the proposed Rezone of the Auburn Ravine Road project area following the October 14<sup>th</sup> City Council hearing. The correspondence includes emails and letters and is provided as Attachments 4-11.

Information previously provided to the Auburn City Council for the October 14<sup>th</sup> Council hearing is available in the Auburn Community Development Department and includes:

- Planning Commission Staff Report – September 17, 2013
- Planning Commission Minutes – September 17, 2013
- Letter from Ann Fenn dated September 26, 2013
- Letter from Read Investments dated October 4, 2013
- Letter from Bhakti Banning dated October 4, 2013
- Letter from Jane Flickinger & James Cummings dated October 5, 2013
- Letter from Otto Fox dated October 7, 2013
- Letter from Roger Luebke dated October 5, 2013

### **Environmental Determination**

The Auburn Community Development Department prepared an Initial Study and Negative Declaration for public review (Exhibit A) in accordance with the California Environmental Quality Act (CEQA). A copy of the Negative Declaration was posted for a 20-day review period starting August 29, 2013.

### **Alternatives Available; Implications of Alternatives**

1. Deny the Rezone request as recommended by the Planning Commission. If denied, the City Council should identify an alternative to insure compliance with SB 2.
2. Approve the Rezone request; this would comply with the requirements of SB 2.
3. Continue the request and direct staff to provide additional information.

### **Fiscal Impact**

Minimal fiscal impact associated with preparation of the draft ordinance by Community Development staff in consultation with the City Attorney.

**Attachments:**

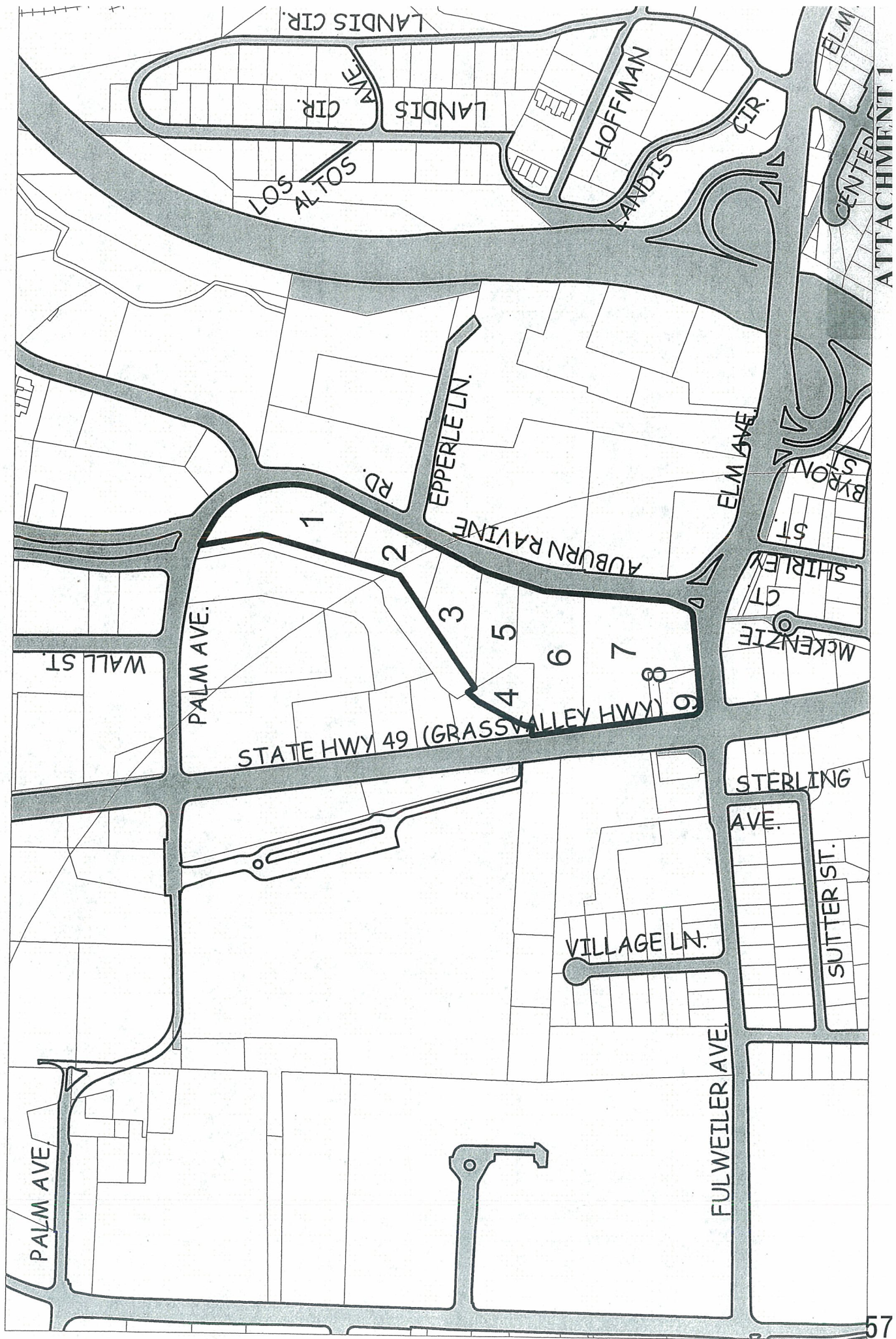
1. Project Area Map
2. Aerial Photo of Project Area
3. Existing Zoning Map of Project Area
4. Email from Sidney Vernon – October 18, 2013
5. Email from Allan McPherson – October 18, 2013
6. Email from Audrey McPherson – October 18, 2013
7. Email from Nina McPherson – October 18, 2013
8. Email from Sharon Bailey – October 18, 2013
9. Letter from Otto Fox to Laura Grassman, Auburn Union School District - October 19, 2013
10. Letter from Ann Fenn - October 20, 2013
11. Letter from Otto Fox received October 23, 2013

**Exhibits:**

- A. Initial Study / Negative Declaration – Auburn Ravine Road Emergency Shelter Rezone
- B. Ordinance – Auburn Ravine Road Emergency Shelter Rezone from C-3 to C-3-ES



# Emergency Shelter Rezone Project Area



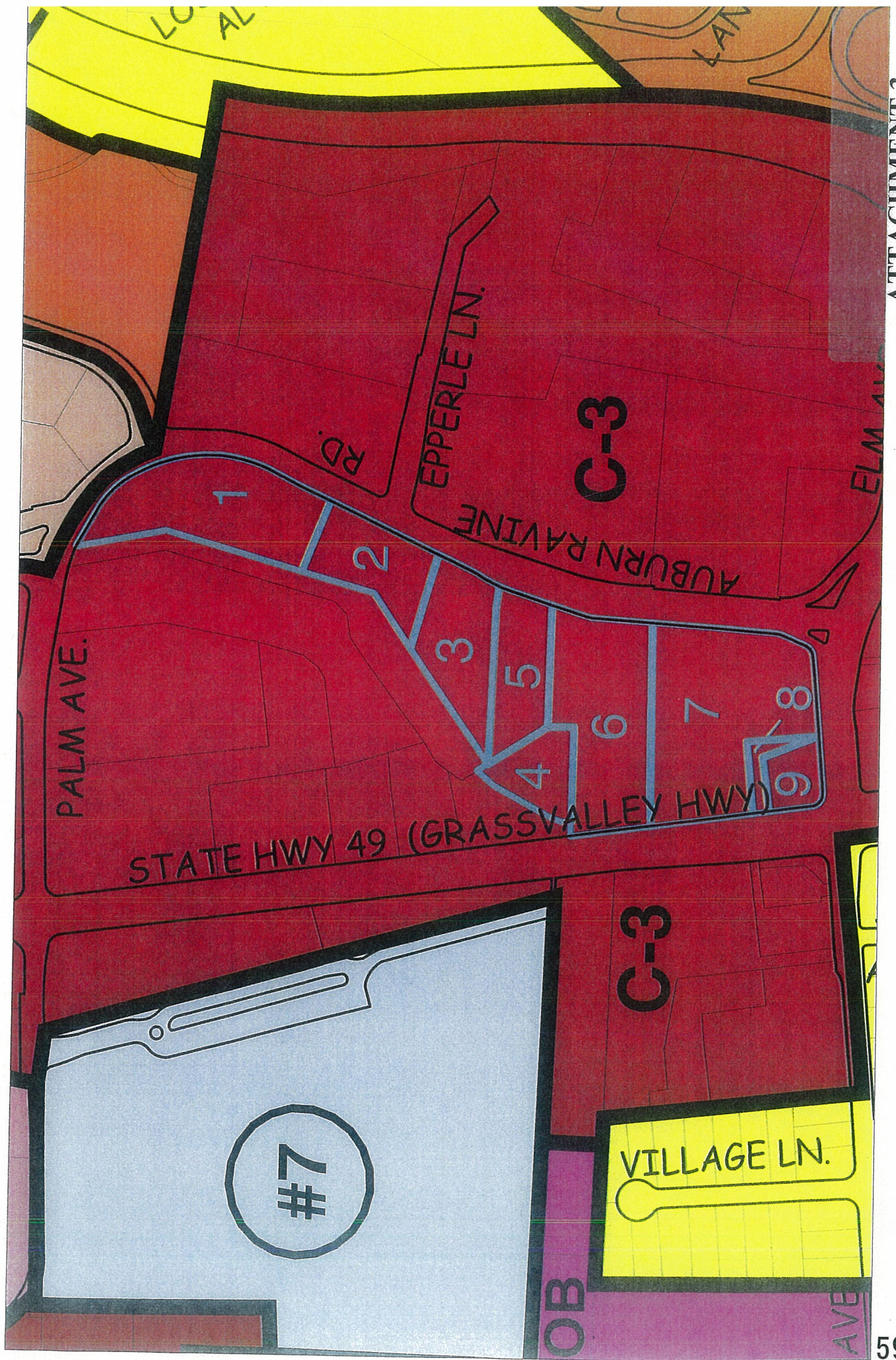


# Emergency Shelter Rezone - Site Aerial





# Emergency Shelter Rezone Project Area - Existing Zoning





Date: Fri, 18 Oct 2013 11:35:27 -0700  
From: [SidneyVernon5@gmail.com](mailto:SidneyVernon5@gmail.com)  
Subject: Emergency Shelter  
To: [ninatori@hotmail.com](mailto:ninatori@hotmail.com)  
Reg Murray, Project Mgr.  
[RMURRAY@AUBURN.CA.GOV](mailto:RMURRAY@AUBURN.CA.GOV)

Re: Emergency Shelter - Auburn Ravine Drive, Auburn, CA

Dear Mr. Murray,

I reside at 709 Mikkelsen Dr., Auburn, CA 95603. After hearing about the Emergency Shelter that will be built on Auburn Ravine I felt it would be important to register my protest. There are already problems with loitering, panhandling, and vagrancy in that area. Seniors walking down Mikkelsen Drive (a hilly walkway) already have to use caution, this will only add to their problems.

Please have the City Council review this matter and consider the seniors (and other residents) who will be impacted.

Thank You,  
Sidney Vernon  
709 Mikkelsen Drive  
Auburn, CA 95603

## Reg Murray

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**From:** Allan McPherson <merc0000@yahoo.com>  
**Sent:** Friday, October 18, 2013 11:57 AM  
**To:** Reg Murray  
**Subject:** This is a Dissapointment that the city may sell us out. Please dont.

ATTACHMENT 5

Dear Mr. Murray

I have just learned that the City of Auburn is planning to build an emergency shelter for the homeless on Auburn Ravine Drive. This is of concern to me because my elderly mother, Audrey McPherson, lives on Mikkleson Drive which connects to Auburn Ravine.

The assistance granted to these homeless is not balanced considering the problems (not potential problems) which will occur:

- Loitering
- Smoking (cigarettes and drugs)
- Panhandling
- Use of the sidewalks, gardens, and benches for comfort stations!

There are retirement facilities in this area, too. Seniors, walking their dogs or bringing back items from the shopping center will be seriously impacted by this emergency shelter. This is a bad idea for the residents in this area. There are many other obstacles which make this rezoning impractical. Please ask the Auburn City Council to reconsider and build the shelter in another area.

Thank you,  
Allan McPherson

Reg Murray

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From: Audrey McPherson <audra44@yahoo.com>  
Sent: Friday, October 18, 2013 12:26 PM  
To: Reg Murray  
Subject: Emergency Shelter

ATTACHMENT 6

Reg Murray, Project Mgr.  
RMURRAY@AUBURN.CA.GOV

Re: Emergency Shelter - Auburn Ravine Drive, Auburn, CA

Dear Mr. Murray,

I have been informed of plans to build an Emergency Shelter at Auburn Ravine. As a retired senior living on Mikkelsen Drive it is clear this will have a major impact on me and the entire neighborhood. This area houses many retirees in several facilities. Many seniors walk their dogs or stroll on their errands in this section.

An Emergency Shelter in this area presents unwelcome problems, especially for seniors. Additionally, the property values of homes and business will depreciate. As a voting, tax paying, property owning senior in Auburn I request the City Council please, please reconsider the rezoning and build an Emergency Shelter in a more suitable area of Auburn.

Sincerely,  
Audrey McPherson  
773 Mikkelsen Dr., Apt. 4  
Auburn, CA 95603

Owner: Stonecrest  
709 Mikkelsen Dr.,  
Auburn, CA 95603

**Reg Murray**

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**From:** Nina Tori <ninatori@hotmail.com>  
**Sent:** Friday, October 18, 2013 1:15 PM  
**To:** Reg Murray  
**Subject:** Emergency Shelter

ATTACHMENT 7

Reg Murray  
Project Mgr.  
City of Auburn

Re: Emergency Shelter - Auburn Ravine Drive, Auburn, CA

Dear Mr. Murray,

Thank you for your time yesterday, it was nice speaking with you. I reside at 709 Mikkelsen Dr., Auburn, CA 95603. It has come to my attention that an Emergency Shelter may be built on Auburn Ravine. Please register my protest to the City Council. This is not a suitable area for a Shelter. Many seniors will be impacted by this decision. Homeowners, business owners all will suffer from problems that can't be avoided by this type of facility.

Not only will the safety and well-being of seniors and residents be impacted, but property values will depreciate. This matter should be fully reviewed by the Council and I feel they will understand this area is unsuitable for an Emergency Shelter - it will expose the residents to undesirable, potentially dangerous situations.

The proposed area by the theatre on Nevada Street would be much less intrusive to the current Auburn residents and it's less of a residential area. Can't this area be further reviewed as a better fit for the emergency shelter?

Sincerely,  
Nina McPherson  
709 Mikkelsen Drive  
Auburn, CA 95603  
510-393-8920  
[NinaTori@hotmail.com](mailto:NinaTori@hotmail.com)

**Reg Murray**

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**From:** Shari Bailey <bailybopps@gmail.com>  
**Sent:** Friday, October 18, 2013 5:42 PM  
**To:** Reg Murray  
**Subject:** Emergency Shelter - Auburn Ravine Drive

ATTACHMENT 8

Dear Mr. Murray,

I have received information about the Emergency Shelter to be built on Auburn Ravine Road, in Auburn. My mother, Audrey McPherson, lives on Mikkelsen Drive adjacent to Auburn Ravine. It is of concern to me that she and other seniors will be subjected to the risks imposed on neighbors from this type of facility.

Surely the City Council will review the negative impact an Emergency Shelter on Auburn Ravine will have and build the Shelter in another section of Auburn. There are several retirement homes in the Auburn Ravine area; all of them will suffer from this decision. Please register my protest with the City Council.

Thank You,  
Sharon Bailey



October 19, 2013

To: Laura Grassman, Superintendent Auburn Union School District

Dear Miss Grassman:

Subject: SB-2, Chapter 633, Statutes of 2007, impact to schools

Chapter 633 as enacted on January 1, 2007 requires that the housing element of a general plan of a city and/or county contain an assessment of housing needs, including an inventory of land suitable for residential development, and a program to identify adequate sites with zoning where emergency shelters are allowed.

**Background:**

Homelessness is a statewide problem that affects many cities and counties. An estimated 360,000 individuals and families are considered homeless in California. Many causes of homelessness are mental illness, substance abuse, prison release, and lack of affordable housing. Because homelessness affects people of all races, gender, age, and geographic location there is a growing need for every city and county to plan for the location of adequate emergency shelters.

Many people experiencing homelessness, primarily youth and single individuals, need shelter but also have a need for residential substance abuse and mental health services. In order to ensure access to services in every city and county for homeless individuals and families, it is important that cities and counties plan for these services to address the special needs and circumstances of this population.

Under this law, an assessment of emergency shelter needs should contain an analysis of population and employment trends and an inventory of land suitable for residential development, including vacant sites having potential for redevelopment with the relationship of zoning and public facilities, schools and services to these sites.

Under existing law (AB 13, Chapter 463, Statutes of 2005, Parole Placement), an inmate who is released on parole for certain sex offenses involving child victims or dependent persons is prohibited from residing within one-quarter mile of any public or private school, for the duration of his or her parole. This bill would prohibit, in addition, an inmate who is released on parole for those sex offenses whom the Department of Corrections and Rehabilitation determines to pose a high risk to the public from residing within one-half mile of a public or private school.

Concern: There will be some person(s) that fits this category who will reside in the proposed location despite parole requirements, making these properties unacceptable due to their proximity to E.V. Cain School. This could result in harm to Auburn's vulnerable population as well as a potential liability to the city.

How other Cities or Counties dealt with this issue:

Orange County - made a presentation before the Fullerton City Council on February 1, 2013 and hosted a Community Meeting on March 11 at the Fullerton Main Public Library. The County also held additional meetings with the Fullerton School District to discuss the issues of emergency shelters. Accordingly, the following was proposed:

- The Shelter Operator will coordinate with the Fullerton Police Department, Homeless Liaison Officers on intake and internal security plans to insure the safety of the surrounding community
- A designation of emergency shelter site will take into account all applicable laws, regulations and ordinances, including but not limited to, city ordinances and State statutes related to the prohibition of registered sex offenders in certain areas in the vicinity of schools, parks and day care centers. This includes the terms of "Jessica's Law," which states that registered sex offenders can't live within 2,000 feet of a school.

City of Concord stated that no emergency shelter shall be located:

- (1) Within 300 feet of any Residential District;
- (2) Within 300 feet of another emergency or homeless shelter; and
- (3) Within 1,000 feet of an elementary school, middle school, high school, public library, or public park."

As stated: "The distance between an emergency or homeless shelter and the uses and districts described above shall be measured in a straight line, without regard to intervening structures or objects, from the closest, portion of the building or structure in which the emergency or homeless shelter is located to the boundary of the use or district described above."

<sup>i</sup>Using this criterion and measuring from the point where an emergency shelter may be built (on the nine lots) to the E.V. Cain Playground, the following was observed:

- Lot 1 - is 865 feet from the E.V. Cain Playground;
- Lot 2 - 713 feet;
- Lot 3 - 457 feet;
- Lot 4 - 390 feet;
- Lot 6 - 414 feet;
- Lot 7 - 584 feet; and,
- Lots 8 and 9 - 652 feet.

<sup>ii</sup>This is contrary to the draft "Initial Study - Evaluation of Environmental Impacts" which indicates that these 9 properties have "No Impact" to public services and schools.

Recognizing this problem, the City of Auburn Planning Commission voted unanimously to deny re-zoning the C-3 area and recommended the City Council reconsider M-1 and M-2 zones as part of the Emergency Shelter Overlay. On their 5-0 decision they recognized the concerns of Auburn's citizenry and fully supported moving the proposed zoning overlay away from the local schools, senior housing, and businesses in the area.

Miss Grassman, from the background presented above, consensus needs to be coordinated between the City Council and the Auburn Unified School District. A statement is requested by the Auburn Unified School Superintendent and Board of Trustees regarding this issue and how it affects the E.V. Cain children. The statement needs to be provided as part of the Auburn City Council October 28, 2013 agenda and record. It should state the Board of Trustee's support for or against the recommendation of the City Council regarding this zoning ordinance and whether the Board agrees that these 9 properties have "No Impact" to public services and schools as stated in the "Initial Study - Evaluation of Environmental Impact.

As you can see from the background above, all properties are within 400 to 900 feet of the E.V. Cain Playground. These properties are also in the direct walking path of school children. As a previous student at E.V. Cain, I would cut through these same parking lots to and from school.

.cc

Auburn Unified School District Board of Trustees:  
Daniel Berlant, President, [dberlant@auburn.k12.ca.us](mailto:dberlant@auburn.k12.ca.us)  
Woody Hoffmann, Trustee, [whoffmann@auburn.k12.ca.us](mailto:whoffmann@auburn.k12.ca.us)  
Sandra Scott, Trustee, [sscott@auburn.k12.ca.us](mailto:sscott@auburn.k12.ca.us)  
Debbie Goodrich, Trustee, [dgoodrich@auburn.k12.ca.us](mailto:dgoodrich@auburn.k12.ca.us)

City Of Auburn Mayor, Kevin Hanley, [khanley@auburn.ca.gov](mailto:khanley@auburn.ca.gov)  
Reg Murray, Senior Planner, [rmurray@auburn.ca.gov](mailto:rmurray@auburn.ca.gov)

Enclosure:

Please include this letter as supporting documentation in the City Council agenda for October 28, 2013.

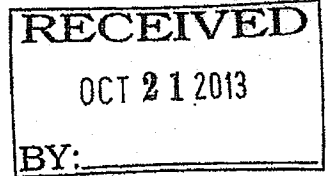
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<sup>i</sup> Based on Google Maps Distance Calculator

<sup>ii</sup> Section XIV. Public Services - "Initial Study - Evaluation of Environmental Impacts"

October 20, 2013

Auburn City Council  
Auburn City Hall, Rm. 8  
1125 Lincoln Way  
Auburn, CA. 95603



**Re. Delayed Decision on Emergency Shelter Zone District, SB - 2 (2007)**

Mayor Hanley and Members of the Auburn City Council:

As a member of the Auburn Community I would like to express to you what I have observed of the deliberations of the City Council regarding rezoning for an emergency shelter in the city of Auburn. I will also add some suggestions.

- Your 3-2 vote on the Auburn Ravine site produced 2 "No" votes.
- Our Auburn Planning Commission produced 5 "No" votes.
- That is a 7-3 majority of "No" votes against the Auburn Ravine location.
- All property owners of the impacted parcels said "No" to this location.
- A valid petition signed by over 600 petitioners said "No" to this location.
- Many more Auburnites are opposed to this location than those who signed the petition or wrote letters to you.

It is clear that the Council needed better guidance about complying with SB 2 in a timely manner. For whatever reason, the delay in planning to easily meet this 2007 California State Mandated deadline of 2013 has not worked out. The result is one that is not in the best interests of the citizens of Auburn, and we could suffer severe consequences.

I hope that the Council members can now free themselves of the Auburn Ravine decision and focus all of your energy on a new and more suitable location.

One of the speakers at the last Council meeting pointedly suggested that you "think outside of the box." What would that mean to you?

- Does it begin with an extension of the state deadline?
- What are you doing to broaden community input on a selection site?
- Mulling over the same unworkable ideas isn't the answer?
- Have assumptions been made that perhaps need to be reviewed?

Telling us how hard this has been is embarrassing, when clearly planning did not start early enough or include enough community awareness. We are heading into the home stretch without a good solution unless new ideas are considered.

- Is there is a legal distance that must exist between all schools and construction of this kind of facility? Does this include preschools?
- You may have another method of calculating, but the one I would use is simply setting a compass radius to the legal distance between schools and shelters, matching the radius to the scale of a map of Auburn. Inscribing a 360 degree circle with the compass point on each school will immediately tell you what properties within Auburn remain open for your/our consideration.
- If you can show that Auburn schools truly do not allow for the legal distance between them and a shelter anywhere in Auburn, have you considered presenting that finding to the appropriate office of the State of California?
- When you visualize what a truly good solution would be for likely occupants needing emergency shelter, wouldn't the site be within at least reasonable walking distance of emergency services of the broadest base possible?

I encourage you to visualize this perfect location for "a shelter that is never going to be built," and then work to make that location a reality, or at least come closer than Auburn Ravine to designating the location.

I (we) appreciate Ms. de Fosset's input and have benefited greatly from her insights, which have educated us to many aspects of her work, including the differences between populations that occupy Auburn now and those that might occupy some future emergency shelter. Her expertise is on record for the consideration of Auburn's City Council and the community, but it would be unseemly for her to continue to have a vocal presence at our Council meetings if she is not a member of this community. Ms. de Fosset can rest her case knowing she has helped our Auburn community move forward on this issue from a more enlightened base.

I (we) recognize the amount of work this entails on your part and know that I (we) appreciate your best efforts.

Respectfully,

A handwritten signature in cursive script, appearing to read "A. Fenn".

Ann Fenn  
746 Dorothy Way  
Auburn, CA 95603

Testimony of Kenneth and Georgia Fox  
October 28, 2013

SB 2, Chapter 633, Statutes of 2007

Chapter 633 as enacted on January 1, 2007 requires that the housing element of a general plan of a city and/or county contain an assessment of housing needs, including an inventory of land suitable for residential development, and a program to identify adequate sites with zoning where emergency shelters are allowed.

**Background:**

Homelessness is a statewide problem that affects many cities and counties. An estimated 360,000 individuals and families are considered homeless in California. Many causes of homelessness are mental illness, substance abuse, prison release, and lack of affordable housing. Because homelessness affects people of all races, gender, age, and geographic location there is a growing need for every city and county to plan for the location of adequate emergency shelters.

Many people experiencing homelessness, primarily youth and single individuals, need shelter but also have a need for residential substance abuse and mental health services. In order to ensure access to services in every city and county for homeless individuals and families, it is important that cities and counties plan for these services to address the special needs and circumstances of this population.

Under this law, an assessment of emergency shelter needs should contain an analysis of population and employment trends and an inventory of land suitable for residential development, including vacant sites having potential for redevelopment with the relationship of zoning and public facilities, schools and services to these sites.

**Assumption:** Public facilities and services to these sites include those services which meet the needs of the population being housed, including, but not limited to - residential substance abuse, prison release, parole services, and mental health services.

The law requires identification of a zone or zones that can accommodate at least one year-round emergency shelter. If the local government can't identify such zone(s) with sufficient capacity, efforts shall be made to amend its zoning ordinance to meet these requirements.

The need for an emergency shelter shall be assessed based on annual and seasonal need. The assessment shall identify public and private nonprofit corporations known to the local government which have legal

and managerial capacity to acquire and manage these housing developments.

**Assumption:** Assessment of emergency shelter locations must consider where these local and non-profit corporations are located. Such services should include but not be limited to county public assistance programs, county prison facilities, parole services and county health services (i.e. locations near to the current DeWitt county facilities, such as Auburn Muni Airport, which is 1.4 miles from hospital services and 1.6 miles from county jail, parole and health services). Locating emergency shelters under this assumption would be considered "Feasible", as defined in the aforementioned chaptered legislation, in a means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

#### **Previous Action Taken by the City of Auburn**

Chapter 633, was signed on January 2007, and addressed in the Auburn's current Housing Element (i.e. the 2008 Element) which was reviewed and certified by the Department of Housing and Community Development (HCD). Specifically, Auburn adopted their plan in December 2008, indicating their intentions to rezone M-2 by December 2009. This plan put Auburn in compliance with State requirements, thereby qualifying for the 2010 HOME program (administered by HCD). The HOME program enabled the City to assist four low-income families with housing rehabilitation work and two low-income families with home purchases. Unfortunately Auburn did not rezone within the one-year requirement, despite the benefit received.

On April 8th 2013, on a 5-0 vote, the Planning Commission again voted to allow the Emergency Shelter in the M-2 area with Borland Ave as the best possible site. However, this recommendation was later disregarded by the City Council, based on fencing requirements, and replaced with the current C-3 location.

The next update to the City's Housing Element is due this year (deadline is 10/31/13). The State will not certify the City's 2013 Housing Element until the City has completed its zoning for emergency shelters.

#### **AB 113, Chapter 463, Statutes of 2005, Parole Placement**

Under existing law, an inmate who is released on parole for certain sex offenses involving child victims or dependent persons is prohibited from residing within one-quarter mile of any public or private school, for the duration of his or her parole.

This bill (AB 113, Chapter 463) would prohibit, in addition, an inmate who is released on parole for those sex offenses whom the Department of Corrections and Rehabilitation determines to pose a high risk to



the public from residing within one-half mile of a public or private school.

Concern: There will be some person(s) that fits this category who will reside in the proposed location despite parole requirements, making these properties unacceptable due to their proximity to E.V. Cain School. This could result in harm to Auburn's vulnerable population as well as a potential liability to the city.

How other Cities or Counties dealt with this issue:

Orange County - made a presentation before the Fullerton City Council on February 1, 2013 and hosted a Community Meeting on March 11 at the Fullerton Main Public Library. The County also held additional meetings with the Fullerton School District to discuss the issues of emergency shelters. Accordingly, the following was proposed:

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- A designation of emergency shelter site will take into account all applicable laws, regulations and ordinances, including but not limited to, city ordinances and State statutes related to the prohibition of registered sex offenders in certain areas in the vicinity of schools, parks and day care centers. This includes the terms of "Jessica's Law," which states that registered sex offenders can't live within 2,000 feet of a school.

City of Concord stated that no emergency shelter shall be located:

- (1) Within 300 feet of any Residential District;
- (2) Within 300 feet of another emergency or homeless shelter; and
- (3) Within 1,000 feet of an elementary school, middle school, high school, public library, or public park."

As stated: "The distance between an emergency or homeless shelter and the uses and districts described above shall be measured in a straight line, without regard to intervening structures or objects, from the closest, portion of the building or structure in which the emergency or homeless shelter is located to the boundary of the use or district described above."

<sup>i</sup>Using this criterion and measuring from the point where an emergency shelter may be built (on the nine lots) to the E.V. Cain Playground, the following was observed:

- Lot 1 - is 865 feet from the E.V. Cain Playground;
- Lot 2 - 713 feet;
- Lot 3 - 457 feet;
- Lot 4 - 390 feet;
- Lot 6 - 414 feet;
- Lot 7 - 584 feet; and,
- Lots 8 and 9 - 652 feet.

<sup>ii</sup>This is contrary to the draft "Initial Study - Evaluation of Environmental Impacts" which indicates that these 9 properties have "No Impact" to public services and schools.

### **Reconsider the Auburn Municipal Airport**

On April 16, 2013, the City of Auburn requested that the Placer County Transportation and Planning Agency (PCTPA) provide an analysis on whether the Airport Industrial property would be a compatible land use for Emergency Shelters. Accordingly, the following was discovered:

- Under the Placer County Airport Land Use Compatibility Plan (ALUCP), there is no specified land uses listed for Emergency Shelters; however, there is nothing that precludes them.
- An emergency shelter could potentially be included in the institutional and commercial land use category for purposes of the ALUCP
- No emergency shelter should be located in any compatibility zone except Zone C-1 of the Municipal Airport
- An emergency shelter would be consistent with airspace protection provisions provided no structure exceeds the height limitations identified for Zone C-1.
- Overall rating: "Compatible subject to Conditions" (as provided in the ALUC response)

Based on these findings and provided an emergency shelter is categorized as commercial land use consistent with hotels and motels, emergency shelters could be considered in ALUCP Compatibility Zone C1, with restrictions. As a result, shelters would generally be limited to the properties on the south side of Earhart Avenue. However, according to the PCTPA, this limitation would not be consistent with the State statute since the use would not be permitted throughout all of the AI-DC Zone.

This finding is contrary to the zoning overlay process, which enables the City to identify specific locations which it believes to be appropriate for emergency shelters, without the need to identify/select an entire zone district (i.e. individual lots or areas can be selected without regard to the zone designation of the properties).

How other Cities or Counties dealt with this issue:

iiiRiverside County - A proposed ordinance would allow emergency shelters with a maximum estimated 80 people within a building approximately 10,000 sq. ft. in size. Initial findings of the County Airport Land Use Commission (ALUC) found this proposal to be inconsistent with compatibility Zones A, B1, and C standards for average intensity. However, ALUC staff revised their opinion to tie the number of beds to the distance from the runway, thereby, stating: "No emergency shelter shall be located within 1,700 feet of any point on the centerline of a runway of a public-use airport that is less than 6,000 feet in length."

This same limitation could apply to the south side of Earhart Avenue.

### **Approve Auburn City Planning Commission Proposal**

It is requested that the City Council approve the September 17th Planning Commission recommendation to consider M-1 and M-2 Zones as part of the Emergency Shelter Overlay. On their 5-0 decision they recognized the concerns of Auburn's citizenry and recommended moving the proposed zoning overlay away from the local schools, senior housing, and businesses in the area.

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<sup>i</sup> Based on Google Maps Distance Calculator

<sup>ii</sup> Section XIV. Public Services - "Initial Study - Evaluation of Environmental Impacts"

<sup>iii</sup> County of Riverside Airport Land Use Commission - January 13, 2011 [continued from December 9, 2010]  
(Reconsideration -originally considered on October 14, 2010)



## CITY OF AUBURN

Community Development Department

1225 LINCOLN WAY • AUBURN, CA 95603 • PHONE (530) 823-4211 • FAX (530) 885-5508

EXHIBIT A

### NOTICE OF INTENT NEGATIVE DECLARATION

**Project:** Emergency Shelter Rezone – Auburn Ravine Road Project Area

**File No.:** RE 13-03 (Auburn Ravine Project Area)

**Applicant:** City of Auburn

**Description of Project:** The City of Auburn is proposing to Rezone nine lots along Auburn Ravine Road, north of Elm Avenue, from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES). The C-3-ES zone district allows Emergency Shelters as a permitted use type in addition to all other permitted and conditionally permitted uses allowed in the existing C-3 zone. Emergency Shelters are subject to certain development standards as permitted by the California Government Code, including but not limited to occupancy, parking, on-site management, and facility services.

**Project Location:** 391 Auburn Ravine Road (APN 001-044-043);  
**and Assessor's Parcel Number:** 301 Auburn Ravine Road (APN 001-044-042);  
271 Auburn Ravine Road (APN 001-044-041);  
251 Auburn Ravine Road (APN 001-044-019);  
424 Grass Valley Hwy (APN 001-044-030);  
420 Grass Valley Hwy (APN 001-044-029);  
414 Grass Valley Hwy (APN 001-044-027); and  
402 Grass Valley Hwy (APN 001-044-(017; 026))

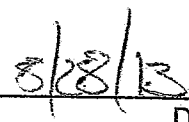
**Statement:** A review of the information submitted and additional investigation by the Community Development Department indicates that this project WILL NOT have a significant adverse impact on the environment as detailed in the Initial Study.

**Review Period:** 8/29/13-9/17/13

**Public Hearing Date:** The public hearing for this project is tentatively scheduled for review by the Auburn Planning Commission on Tuesday, September 17, 2013 at 6:00 p.m. in the Auburn City Council chambers, 1225 Lincoln Way, Auburn, CA 95603.

**Document Availability:** Copies of the Negative Declaration are available for review at, and comments can be submitted to, the Auburn Community Development Department; 1225 Lincoln Way, Room 3; Auburn, CA 95603.

  
Reviewer: Reg Murray, Senior Planner  
Auburn Community Development Department

  
Date



**CITY OF AUBURN  
COMMUNITY DEVELOPMENT DEPARTMENT**

**INITIAL STUDY**

**Emergency Shelter Rezone  
Auburn Ravine Road Project Area  
(File RE 13-03)**

**August 29, 2013**

**City of Auburn**  
**Emergency Shelter Rezone**  
**Auburn Ravine Road Project Area**  
**File RE 13-03**

**Background:**

In 2007, the State enacted Senate Bill 2 (SB 2) which amended California Government Code Section 65583 to require that jurisdictions (i.e. Cities and Counties) plan for and accommodate emergency shelters by right, without the necessity of a discretionary permit. An emergency shelter is generally defined as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less. SB 2 requires that jurisdictions must identify at least one zone district that can accommodate at least one year-round emergency shelter; and, emergency shelters shall be allowed as a permitted use (i.e. jurisdictions cannot require a use permit or other discretionary permit).

The City of Auburn City Council met on several occasions over the last several months (April 8<sup>th</sup>, May 13<sup>th</sup>, July 22<sup>nd</sup>, and July 29<sup>th</sup>) to consider options for allowing emergency shelters in conformance with SB 2. On August 12, 2013, the Auburn City Council identified nine parcels as potential locations for emergency shelters. The subject parcels (described below) are generally located north of Elm Avenue and west of Auburn Ravine Road and are currently part of the Regional Commercial (C-3) zone district. The City Council directed staff to establish a new zone district that uses the C-3 zone as the base zone and adds emergency shelters as a use permitted "by right" (i.e. the Regional Commercial – Emergency Shelter (C-3-ES) zone district). This initial study is associated with the Rezone entitlement that changes the zoning of the nine project area parcels from C-3 to the new C-3-ES zone district.

**Initial Study:**

The City of Auburn prepared this Initial Study in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15063 (Initial Study). This initial study assesses the potential environmental impacts associated with the Rezone proposal noted above that would change the zone designation of the nine subject parcels from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES). The C-3-ES zone district includes all permitted and conditionally permitted uses as per the existing C-3 zone, but also includes Emergency Shelters as a Permitted use type.

The analysis provided herein is only associated with the change of the zoning designation (i.e. from C-3 to C-3-ES); and is not associated with any specific development request. Any subsequent requests for an emergency shelter that requires new construction would necessitate separate entitlements (e.g. Design Review) and would be subject to its own separate environmental review.

**Public Review:**

This Initial Study/Mitigated Negative Declaration will be circulated for a **20-day** public review commencing **August 29, 2013**. Copies of this Initial Study and cited References may be obtained at the City of Auburn Community Development Department at the address noted below. Written comments on this Initial Study/Negative Declaration may also be addressed as noted below.

**Project title:** Emergency Shelter Rezone - Auburn Ravine Road Project Area (Files RE 13-03)

**Lead agency name and address:**

City of Auburn Community Development Department  
1225 Lincoln Way, Room 3  
Auburn, CA 95603

**Contact person, phone number, and e-mail:**

Reg Murray, Senior Planner  
1225 Lincoln Way, Room 3  
Auburn, CA 95603  
530-823-4211 x 140  
[rmurray@auburn.ca.gov](mailto:rmurray@auburn.ca.gov)

**Project location(s):**

The Emergency Shelter Rezone for the Auburn Ravine Road project Area consists of nine properties within the City of Auburn, generally located west of Auburn Ravine Road and north of Elm Avenue (Attachment 1). The properties include the following:

Lot	APN	Address	Size (acres)
1	001-044-043	391 Auburn Ravine Road	±1.57
2	001-044-042	301 Auburn Ravine Road	±0.82
3	001-044-041	271 Auburn Ravine Road	±0.94
4	001-044-030	424 Grass Valley Hwy	±0.51
5	001-044-019	251 Auburn Ravine Road	±0.78
6	001-044-029	420 Grass Valley Hwy	±1.76
7	001-044-027	414 Grass Valley Hwy	±2.35
8	001-044-026	402 Grass Valley Hwy	±0.14
9	001-044-017	402 Grass Valley Hwy	±0.31

**Project sponsor's name and address:**

City of Auburn, Community Development Department  
1225 Lincoln Way, Room 3  
Auburn, CA 95603

## **General Plan and Zoning designations:**

*General Plan Land Use Designations:* The land use designation for the project area is Mixed Use (MU). The Mixed Use designation allows for combination of commercial uses and higher density residential uses. Land use designations for the adjacent properties include:

North: Commercial (COMM)  
East: Commercial (COMM)  
South: Mixed Use (MU)  
West: Mixed Use (MU)

*Zoning Designation:* The project area is located within the Regional Commercial (C-3) zone district (Attachment 2). The C-3 zone allows a wide variety of commercial, retail, and office uses. Zoning for the adjacent properties include:

North: Neighborhood Commercial (C-1) and C-3  
East: C-3  
South: C-3  
West: C-3

*Surrounding Land Uses:* The project area includes vacant, undeveloped, and under-developed properties (Attachment 3). Uses include (from north to south) offices, automotive repair, a vacant lot, a mortuary, a bank, offices, a drug store, a grocery, and a smog check station. The land use designation of the properties adjacent to the project area includes:

North: Retail  
East: Vacant commercial lot and a commercial shopping center  
South: Gas station; office complex  
West: Vacant commercial lot (northern end) and various retail commercial (southern end)

## **Environmental Setting**

The project area is located near the core of the regional commercial zone and is bounded on the east by Auburn Ravine Road, the south by Elm Avenue, and the west by Highway 49 and a vacant commercial lot (Attachment 3). The majority of the project area as already been developed with various businesses situated on Lots 1 and 3-9. The remaining lot (Lot 2) is vacant and undeveloped, but has been graded previously and could accommodate future development. A small riparian creek corridor is located to the west of, and has minor encroachment onto the western fringes of, Lots 1-3.

*Aesthetics:* The project area does not have any scenic views or vistas. With the exception of a small riparian creek corridor to the west of the northern portion of the project area, views from the site include various existing commercial, retail, and office developments.



*Air Quality:* The proposed project area is within the Sacramento Valley Air Basin (SVAB) and under the jurisdiction of the Placer County Air Pollution Control District (PCAPCD). The SVAB is classified as a severe non-attainment area for federal standards for ozone. Placer County is also designated as a serious non-attainment area for State ozone ambient air quality standards and non-attainment for State particulate matter standards (CARB 2006).

*Biological Resources:* The project area is largely built out and has few remaining natural resources. Based on the level of build out in the project area and a corresponding lack of natural resources, a biological resources survey was not prepared for the project.

*Cultural Resources:* A cultural resources study has not been prepared for the project area. Based on the level of existing development in the project area, no significant resources are anticipated on the site.

*Circulation:* The project area has access to Auburn Ravine Road, Elm Avenue, and Highway 49.

*Geology and Soils:* A geotechnical report has not been prepared for the project area, but may be required in conjunction with any necessary design review for a subsequent Emergency Shelter project. There are no Alquist-Priolo mapped earthquake fault zones within the project area. The Cleveland Hills Fault, located approximately 36 miles northwest of Auburn, is the nearest known active fault.

*Hazards and Hazardous Materials:* A preliminary search of available environmental records on the Placer County Environmental Health web-site indicated that the project site is not listed in any database of hazardous materials sites. Hazardous materials in the vicinity of the project site could include minor amounts of products typically used for automotive repair (i.e. oil; coolant), maintenance and cleaning, and construction.

*Hydrology and Water Quality:* No natural waterways occur on the project site, though Auburn Ravine Creek is located immediately to the west. A hydrologic study could be required in conjunction with any necessary design review for a subsequent Emergency Shelter project.

*Land Use and Zoning:* The land use designation for the project area is Mixed Use (MU) and the zoning designation is Regional Commercial (C-3).

*Noise:* The project area has no significant noise generators, though it is located adjacent to or near major roadways. The project area is adjacent to or within 700' of Highway 49 and is between 625'-950' of Interstate 80.

*Utilities:* Underground utilities and infrastructure have been constructed in conjunction with existing development. These improvements include curb, gutter and sidewalk, municipal sanitary sewer lines, PCWA water lines, underground communication lines, and a storm drain system.

**Project Description:**

The City of Auburn is proposing to rezone nine lots along Auburn Ravine Road (i.e. the Auburn Ravine Project Area; Attachment 2) from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES). The C-3-ES zone district allows Emergency Shelters as a permitted use type in addition to all other permitted and conditionally permitted uses allowed in the existing C-3 zone. Emergency Shelters are subject to certain development standards as permitted by the California Government Code, including but not limited to:

1. Occupancy – maximum of twenty-five (25) persons;
2. Parking – one space per staff and one spacer per four residents
3. On-site management standards
4. Facilities services including common area, laundry, showers, storage, and telephones

**Regulatory Setting:**

No Responsible and/or Trustee Agency permits are required.

**Required Agency Approvals:**

*City of Auburn Planning Commission* – Review and provide recommendations to the Auburn City Council for the Emergency Shelter Rezone for the Auburn Ravine Project Area (Attachment 1).

*City of Auburn City Council* – Approval of the Emergency Shelter Rezone for the Auburn Ravine Project Area.

## Initial Study

### Evaluation of Environmental Impacts:

- 1) A brief explanation is required for all answers except “NO Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to a project like the one involved (e.g. the project falls outside a fault rupture zone). A “NO Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) **“Potentially Significant Impact”** is appropriate if there is substantial evidence that an effect is significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
- 4) **“Potentially Significant Unless Mitigation Incorporated”** applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- 5) **“Less-Than-significant Impact:”** Any impact that is expected to occur with implementation of the project, but to a less than significant level because it would not violate existing standards.
- 6) **“No Impact:”** The project would not have an impact to the environment.
- 7) Earlier analyses may be used where, pursuant to Tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration.
- 8) Lead agencies are encouraged to incorporate into the checklist reference to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Agriculture Resources         | <input type="checkbox"/> Air Quality             |
| <input type="checkbox"/> Biological Resources               | <input type="checkbox"/> Cultural Resources            | <input type="checkbox"/> Geology/Soils           |
| <input type="checkbox"/> Greenhouse Gases                   | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning Housing          | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                   |
| <input type="checkbox"/> Population/Housing                 | <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation              |
| <input type="checkbox"/> Transportation/Traffic             | <input type="checkbox"/> Utilities/Service Systems     | <input checked="" type="checkbox"/> None         |
| <input type="checkbox"/> Mandatory Findings of Significance |  |  |

**DETERMINATION:** (To be completed by the Lead Agency) On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
Reg Murray, Senior Planner

8/29/13  
Date

## EVALUATION OF ENVIRONMENTAL IMPACTS:

### I. AESTHETICS –

Would the project:

- |  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact  | No Impact                           |
|--|--------------------------------------|---|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?  | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?  | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                    | <input type="checkbox"/>             | <input type="checkbox"/>  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
- a)-c) No scenic vistas or scenic resources are located in the Auburn Ravine Road project area. The proposed rezone adding the emergency shelter use type to the Regional Commercial zone will not result in any adverse changes to any scenic vistas. Emergency shelters are consistent with other existing use types currently allowed in the project area, therefore, shelters would not create any new impacts.
- d) The Rezone will not introduce any new light sources to either project area. Light sources for emergency shelters will be consistent with the other use types currently allowed at each site and will be required to comply with the City's lighting standards. In the future, any proposed development will be reviewed against the City's standards and may have conditions of approval requiring that light fixtures be designed to reduce light and glare on adjacent properties and include glare screens when appropriate.

### Mitigation Measures

No mitigation measures are necessary.

## II. AGRICULTURE RESOURCES –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a)-e) The project area include land zoned for commercial uses. No agricultural or timberland activities currently occur on site or in the project vicinity. No land designated by the state of California as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance occurs on the project site; and, the site is not under a Williamson Act contract.				

### Mitigation Measures

No mitigation measures are necessary.

### III. AIR QUALITY –

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is located in the Sacramento Valley Air Basin, and under the jurisdiction of the Placer County Air Pollution Control District. The region is in non-attainment for state and federal ozone standards, the federal particulate matter (PM2.5) standard, and the state particulate matter (PM10) standard, but meets all other state and federal air quality standards.

- a)-e) The project adds the emergency shelter use type to the current list of commercial uses. The emergency shelter use type is consistent with other existing use types in the Regional Commercial zone; and, the use type does not result in any specific significant impacts to air quality. Air quality impacts, along with potential mitigation measures, will be evaluated and addressed in association with proposed development.

### Mitigation Measures

No mitigation measures are necessary.

#### IV. BIOLOGICAL RESOURCES –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a-f) The project area is largely developed and no candidate, sensitive, or special status species are known to exist in the project area. Inclusion of the emergency shelter use type in association with the C-3-ES rezone will not affect any biological resources, including the riparian habitat to the west of the project area. The proposal will not conflict with local policies or ordinances protecting biological resources or any habitat conservation plans, nor will it impact the movement of wildlife species. Potential impacts associated with any future development, along with associated mitigation measures, will be evaluated and addressed at the time of the proposed development.				

#### Mitigation Measures

No mitigation measures are necessary.



## V. CULTURAL RESOURCES –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-d) The rezone proposal adds the emergency shelter use type to the current list of commercial uses. Addition of the emergency shelter use type to the list of permitted use types does not have the potential to affect the significance of any historic or archaeological resource. The project area is largely developed and there are no known historical or archaeological resources present on-site. The rezone entitlement will not destroy paleontological or geologic resources or disturb human remains. Potential impacts associated with any future development, along with associated mitigation measures, will be evaluated and addressed at the time of the proposed development.

### Mitigation Measures

No mitigation measures are necessary.

## VI. GEOLOGY AND SOILS –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iv) Landslides?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in the Building Code, creating substantial risks to life or property?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- a-d) Addition of the emergency shelter use type to the list of permitted use types does not expose persons to potential geologic-related hazards. Emergency shelters are consistent with other existing use types currently allowed in the project area, therefore, shelters would not create any new impacts. Potential impacts associated with any future development, along with associated mitigation measures, will be evaluated and addressed at the time of the proposed development.
- e) Sanitary sewer service is available to the project area; therefore, there are no potential impacts associated with septic systems.

### Mitigation Measures

No mitigation measures are necessary.

### VII. GREENHOUSE GASES –

Would the project:

- |   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact  | No Impact                |
|---|--------------------------------------|---|-------------------------------------|--------------------------|
| a) Generate Greenhouse emissions, either directly or indirectly, that may have a significant impact on the environment.                         | <input type="checkbox"/>             | <input type="checkbox"/>  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases. | <input type="checkbox"/>             | <input type="checkbox"/>  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
- a-b) The proposed project is not anticipated to generate greenhouse emissions, either directly or indirectly, that may have a significant impact on the environment.

### Mitigation Measures

No mitigation measures are necessary.

# **VIII. HAZARDS AND HAZARDOUS MATERIALS –**

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Auburn City Fire Department responds to all calls for emergency services within City limits that include, but are not limited to: fires, emergency medical incidents, hazardous materials incidents, public assists, traffic and vehicle accidents and other situations. The City's fire station on Sacramento Street is located ±0.50 miles from the project area and is staffed 24 hours a day. The City also has mutual aid agreements with adjacent fire service districts.

- a-c) An emergency shelter will not use, transport, store, or dispose of hazardous materials beyond those typical used in association with landscape, maintenance and household cleaning purposes. The materials would not pose a hazard to residents or the public.

- d) The Placer County Department of Environmental Health website does not identify the use of hazardous materials at the project site.
- e-f) The project area is not within an airport land use plan and is not within two miles of any airport, and would therefore have no impact on the safety of people residing or working in the project area due to proximity to an airport.
- g) The proposed rezone would not adversely affect implementation of the City's emergency response plan and would not require update of the CAD emergency response system currently in use by the City.
- h) The project area is not located in, or adjacent to, a wild lands area. As noted above, fire service is provided by the City of Auburn with mutual aid from adjacent fire districts.

### Mitigation Measures

No mitigation measures are necessary.

### IX. HYDROLOGY AND WATER QUALITY –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## IX. HYDROLOGY AND WATER QUALITY –

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Map or other flood hazard delineation map?				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The City of Auburn receives an average of 34 inches of rainfall annually. Rainfall can vary substantially from year to year. At the Auburn recording station, annual precipitation has varied from 14 to 65 inches over the past 50 years. Rainfall is concentrated during winter months with almost 90 percent of annual precipitation typically occurring between November and April (*Placer County 2005*). Site soils fall into Hydrologic Soils Group D, which are soils characterized as having a slow infiltration rate, and thereby a high runoff potential (*Soil Survey of Placer County, California 1980*).

- a-f) Addition of the emergency shelter use type to the list of permitted use types will not violate water quality standards, deplete groundwater supplies, alter existing drainage, or increase water runoff. Emergency shelters are consistent with other existing use types currently allowed in the project area, therefore, the addition of shelters to the list of permitted use types would not create any new impacts. Potential impacts associated with any future development, along with associated mitigation measures, will be evaluated and addressed at the time of the proposed development.
- g-i) The majority of the project area is located in Flood Zone X (areas determined to be outside the 500-year flood plain) according to the Flood Insurance Rate Map for the County of Placer, Map No. 06061C0426 F dated June 8, 1998. Portions of Lots 4-9 (Attachment 1) are shown as being within a mapped flood hazard area associated with the original creek alignment; however, the creek has been piped and no longer affects these properties, therefore there is no exposure of people or structures to a significant risk of loss, injury or death involving flooding.
- j) The project area is not located within an area subject to inundation by seiche, tsunami, or mudflow; therefore, there are no impacts.

### Mitigation Measures

No mitigation measures are necessary.

## X. LAND USE AND PLANNING —

Would the project:

- |   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No Impact                           |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| a) Physically divide an established community?  | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?   | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
|   |                                      |   |                                    |                                     |
| a) The change of the zone designation for the project area from C-3 to C-3-ES will not physically divide an established community. No impacts would result from project implementation.   |                                      |   |                                    |                                     |
| b) The proposed rezone of the project area is consistent with the City's adopted Housing Element and in accordance with Housing Element law. Subsequent development within the project area will be in accordance with the City of Auburn Zoning Ordinance and related development standards.               |                                      |   |                                    |                                     |
| c) There are no habitat conservation plans or natural community conservation plans for either project area.   |                                      |   |                                    |                                     |

### Mitigation Measures

No mitigation measures are necessary.

## XI. MINERAL RESOURCES –

Would the project:

- |   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No Impact                           |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?  | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?   | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| a-b) Although gold deposits are known to remain in the foothills area, no known mineral resources of value to the region are known to exist within the boundaries of the proposed project area. No known mine sites are or have historically been located on the subject properties. The proposed project would not result in the loss of availability of any known mineral resource. |                                      |   |                                    |                                     |

### Mitigation Measures

No mitigation measures are necessary.

## XII. NOISE—

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a-d) The proposal adds the emergency shelter use type to the current list of commercial uses in the Regional Commercial zone. Addition of the emergency shelter use type to the list of permitted use types will not expose persons to potential noise-related hazards. It is anticipated that noise levels generated by the proposed project would not exceed standards established in the City of Auburn General Plan and would be consistent with, and compatible to, uses adjacent to the site. Proposed development in the future will be reviewed and evaluated to determine project specific impacts and associated mitigation measures.				
e-f) The proposed project is not located within an airport land use plan or within two miles of any public airport or private airstrip.				

### Mitigation Measures

No mitigation measures are necessary.



### XIII. POPULATION AND HOUSING –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project will bring the City's Housing Element into compliance with Housing Element law and will make it easier to provide housing for the homeless population in the City of Auburn.

- a) An emergency shelter will not induce population growth. Any shelters provided as a result of the Rezone would serve the existing needs of the homeless community.
- b-c) The project area includes non-residential development, under-developed lots (Lots 1 & 3), or undeveloped property (Lot 2). Accordingly, the proposed rezone would not displace housing or a substantial number of people.

#### Mitigation Measures

No mitigation measures are necessary.

#### XIV. PUBLIC SERVICES —

Would the project:

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Fire Protection:* Fire service for the project area is provided by the Auburn City Fire Department. Auburn Fire also has mutual aid agreements with other fire protection agencies to aid in emergency response, including the California Department of Forestry & Fire Protection (Cal Fire), the Newcastle Fire Protection District, and Placer County Fire.

*Police Protection:* The project area is within the jurisdiction of the City of Auburn Police Department. The existing police department facility was planned to accommodate the law enforcement needs of population growth within the project area (General Plan Environmental Impact Report 1993). Additional law enforcement assistance is provided within the area by the Placer County Sheriff's Department and the California Highway Patrol.

*Schools:* The proposed project lies within the Auburn Union Elementary and Placer Union High School District. Children residing in the project vicinity attend Skyridge Elementary School, E.V. Cain Middle School or Placer High School, according to their age group.

*Parks:* Park facilities within City limits are maintained by the Auburn Recreation District. The Auburn State Recreation Area is located outside the City limits approximately one mile east of the project area.

*Other Public Facilities:* Operation of an emergency shelter will not substantially impact other public facilities (libraries; roads).

- a) The proposed Rezone adding the emergency shelter use type to the list of use types currently permitted in the C-3 zone will not impact public services. Emergency shelters are consistent with other existing use types currently allowed in the project area, therefore, shelters would not create any new impacts. Any new development to provide an emergency shelter will pay all appropriate impact fees at the time of permit issuance.

### Mitigation Measures

No mitigation measures are necessary.

### XV. RECREATION –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might, have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) Due to the limited size of, and population at, an emergency shelter, the operation and/or construction of an emergency shelter will not substantially affect recreational facilities and will not generate the need for additional park facilities.

### Mitigation Measures

No mitigation measures are necessary.

## XVI. TRANSPORTATION/TRAFFIC –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a-g) Many of the occupants using an emergency shelter lack their own transportation, and staffing is minimal. The project area is on a City bus transit route and is adjacent to sites with commercial services (e.g. grocery store; drug stores). No impacts to transportation and/or traffic are anticipated with the proposed project.				

### Mitigation Measures

No mitigation measures are necessary.

## XVII. UTILITIES AND SERVICE SYSTEMS –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a-e) The proposal adds the emergency shelter use type to the current list of commercial uses. Addition of the emergency shelter use type to the list of permitted use types will not impact utility services. Due to the limited size of, and population at, an emergency shelter, the operation and/or construction of an emergency shelter will not substantially affect utility services. No new sewer, water, or stormwater facilities will be necessary to support an emergency shelter. No impact will occur.				
f-g) Solid waste within the project area is collected by Auburn-Placer Disposal Service (APDS), a licensed private disposal company. Solid waste is transported to the company's transfer station located on Shale Ridge Road and then to the Placer County Western Regional Landfill. No impacts will occur.				

### Mitigation Measures

No mitigation measures are necessary.

## XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a)-c) The analysis presented herein indicates that the proposal to Rezone the project area from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES), thereby adding emergency shelters as a permitted use type to the C-3 zone district, will not have a significant effect on the environment. Accordingly, a Negative Declaration can be prepared for the project.				

## REFERENCES

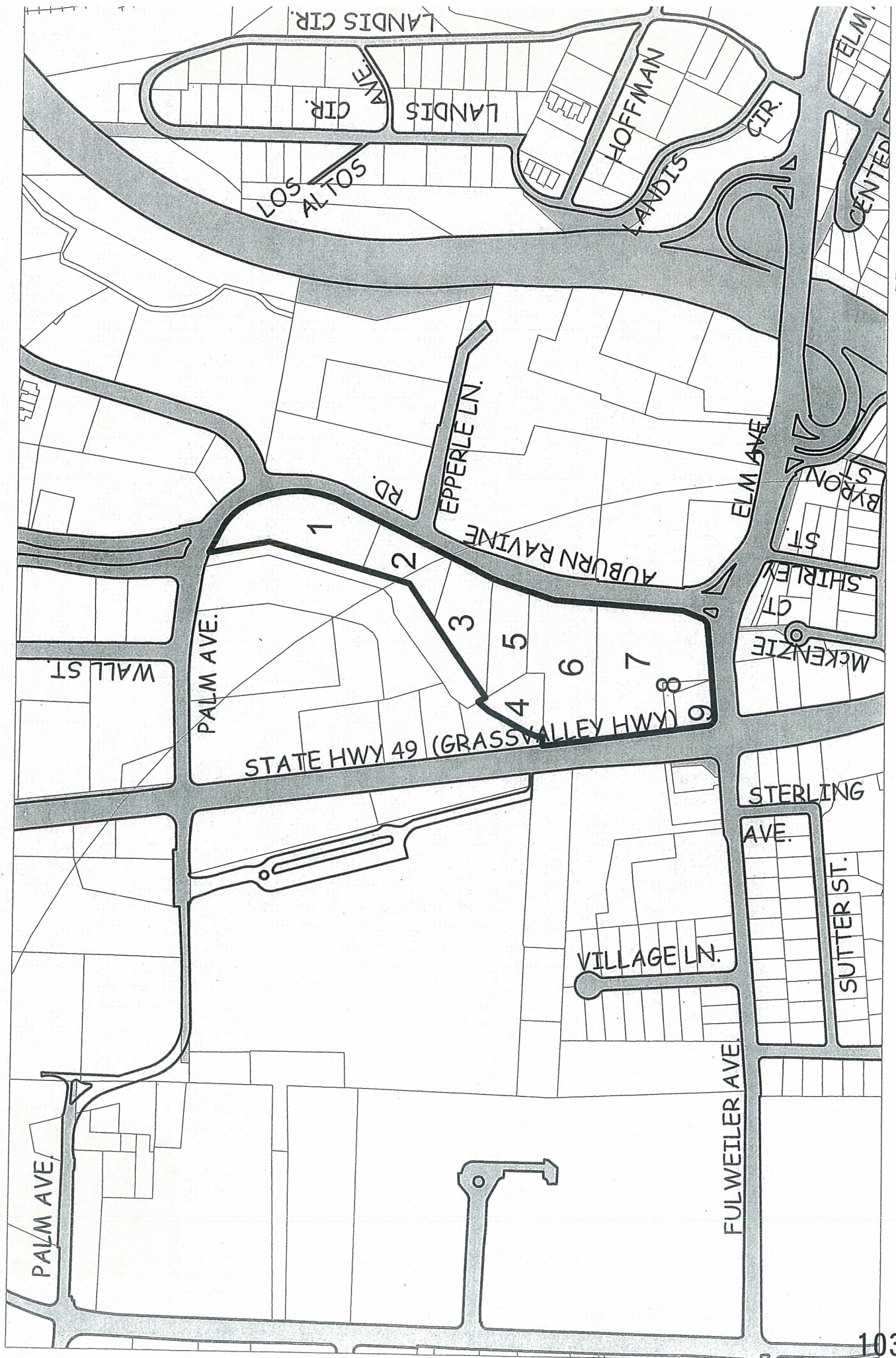
City of Auburn. *City of Auburn General Plan*. November 1993.  
 City of Auburn. *The City of Auburn General Plan Environmental Impact Report*. November 1993.  
 City of Auburn. *City of Auburn Municipal Code*. 28 March 2005.

## ATTACHMENTS

**Attachment 1** – Vicinity Map  
**Attachment 2** – Zoning Map  
**Attachment 3** – Site Aerial Photograph

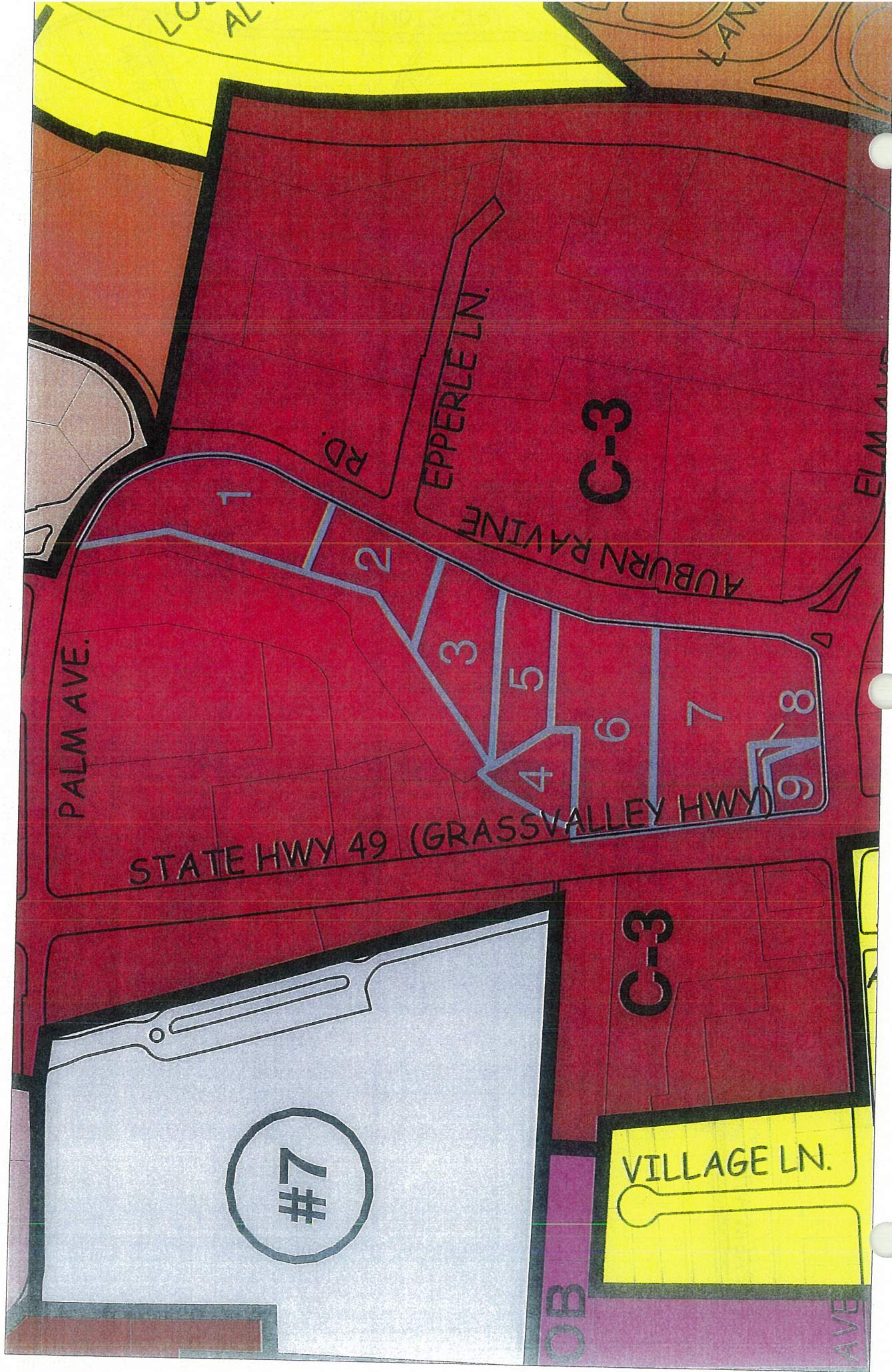


# Emergency Shelter Rezone Project Area



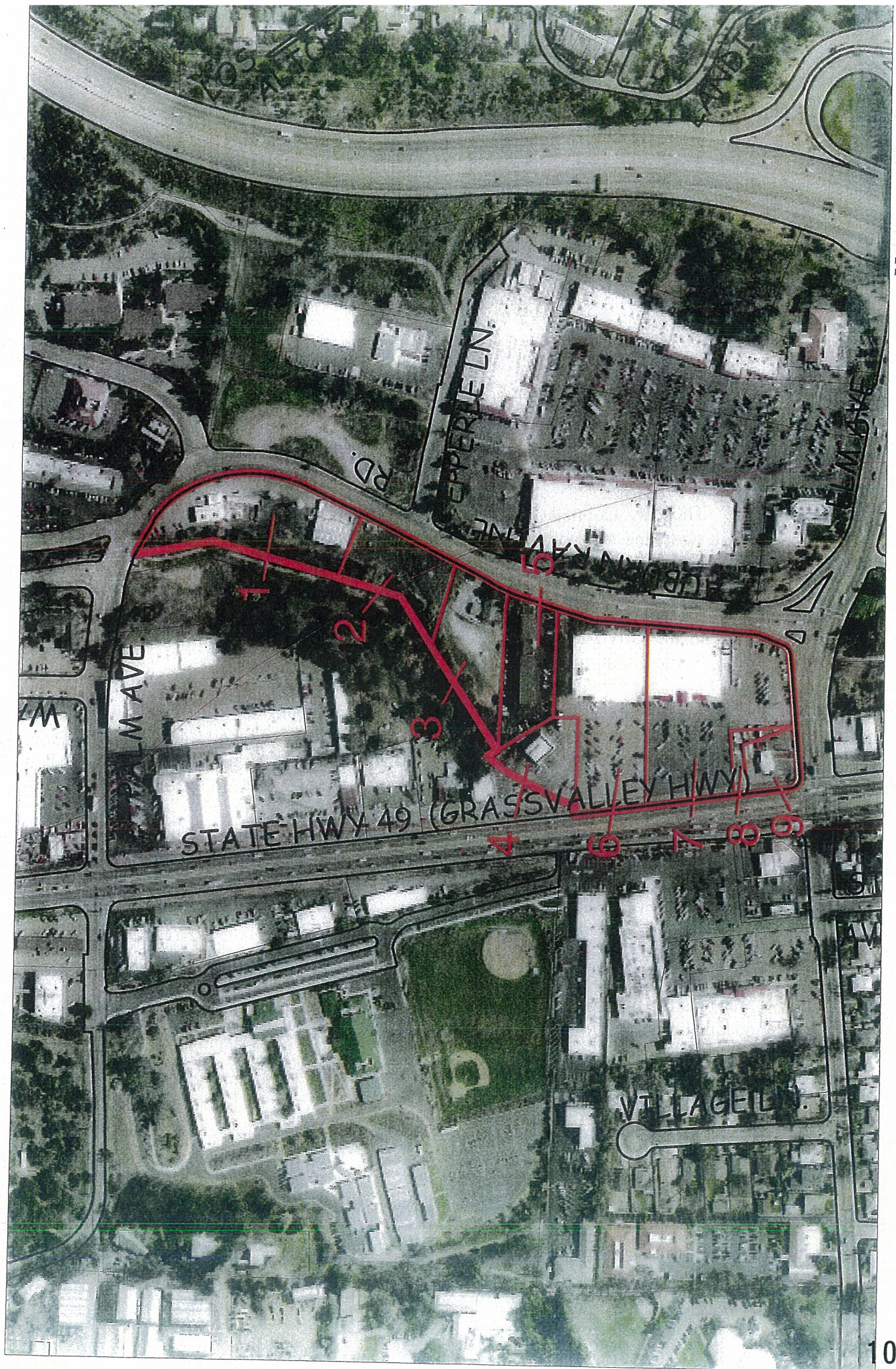


# Emergency Shelter Rezone Project Area - Existing Zoning





# Emergency Shelter Rezone - Site Aerial





ORDINANCE NO. 13 - \_\_\_\_\_

**AN ORDINANCE TO CHANGE THE ZONE DESIGNATION OF THE AUBURN  
RAVINE ROAD PROJECT AREA FROM REGIONAL COMMERCIAL (C-3) TO  
REGIONAL COMMERCIAL - EMERGENCY SHELTER (C-3-ES)  
FILE# RE 13-3**

EXHIBIT

**THE CITY COUNCIL OF THE CITY OF AUBURN HEREBY FINDS AS FOLLOWS:**

- A. Whereas the City of Auburn City Council adopted the following findings of fact for the Initial Study and Negative Declaration prepared for the Rezone to apply the Regional Commercial - Emergency Shelter (C-3-ES) zone district to the properties in the Auburn Ravine Road project area (APN: 001-044-(017, 019, 026, 027, 029, 030, 041, 042, 043)).
1. The City Council, on the basis of the whole record before it (including the initial study and any comments received) finds that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the lead agency's independent judgment and analysis.
  2. All documents and materials relating to the proceedings for the project are maintained in the City of Auburn Community Development Department; 1225 Lincoln Way, Room 3; Auburn, CA 95603.
- B. Whereas the City of Auburn City Council adopted the Initial Study and Negative Declaration prepared for the Rezone to apply the Regional Commercial - Emergency Shelter (C-3-ES) zone district to the properties in the Auburn Ravine Road project area (APN: 001-044-(017, 019, 026, 027, 029, 030, 041, 042, 043)).
- C. Whereas the ordinance for the Rezone to apply the Regional Commercial - Emergency Shelter (C-3-ES) zone district to the properties in the Auburn Ravine Road project area (APN: 001-044-(017, 019, 026, 027, 029, 030, 041, 042, 043)) is:
1. Consistent with the General Plan; and
  2. Consistent with the public interest, health, safety, and welfare of the City.
- D. Whereas the ordinance implements the requirements of Senate Bill 2 for the provision of adequate sites for emergency shelters for the homeless.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN DOES  
HEREBY ORDAIN:**

Section One: The Zoning Map of the City of Auburn, adopted by reference by Section 159.017 of Chapter 159 of Title XV of the Auburn Municipal Code, is hereby amended to include the Regional Commercial - Emergency Shelter (C-3-ES) zone district and to apply the C-

3-ES zone to the properties in the Auburn Ravine Road project area (APN: 001-044-(017, 019, 026, 027, 029, 030, 041, 042, 043)).

Section Two: The above-referenced property is more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

Section Three: All requirements of the California Planning Act, the California Environmental Quality Act, and of Chapter 159 of Title XV of the Auburn Municipal Code, including hearings upon property notice, have been fully complied with by the Planning Commission and the City Council in the adoption of this zoning amendment.

Section Four: This Ordinance shall take effect thirty days following its adoption as provided by Government Code Section 36937.

Section Five: The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code Section 36933, a summary of this Ordinance may be published and posted in lieu of publication and posting of the entire text.

Section Six: If any part of this Ordinance is held to be invalid, such invalidity shall not affect any other provision which reasonably can be given effect without regard to the invalid provision and, to that end, the provisions of this Ordinance are hereby declared to be severable.

DATED: \_\_\_\_\_, 2013

\_\_\_\_\_  
Kevin Hanley, Mayor

ATTEST:

\_\_\_\_\_  
Stephanie L. Snyder, City Clerk

I, Stephanie L. Snyder, City Clerk of the City of Auburn, hereby certify that the foregoing ordinance was duly passed at a regular session meeting of the City Council of the City of Auburn held on the \_\_\_\_\_ day of \_\_\_\_\_ 2013 by the following vote on roll call:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
Stephanie L. Snyder, City Clerk

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